IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

-

WRIT PETITION NO : 22556 of 2004

Between:

J.Sudhakar S/o.Narasaiah, Panchayat Secretary (under suspension) Unikacherla Gram Panchayat, Dharmasagar (M),
Warangal Dist.

.... PETITIONER

AND

1 The District Collector (Panchayat Wing),
Warangal District, Warangal.
2 The Mandal Revenue Officer
Ghanapuram Station Mandal, Warangal Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, or order or direction more particularly in the nature of Writ of Mandamus to direct the 1st Respondent to take action on the enquiry report submitted by the 2nd respondent bearing L.Dis.No.A/160/2004, dt 18-05-2004 and to reinstate the petitioner into service as panchayat Secretary, Unikicherla Gram Panchayat, Dharmasagar Mandal, Warangal Dist by holding the action of the 1st respondent in continuing the petitioner under suspension is illegal by setting aside the order of the 1st respondent vide proceedings No.153/2004/A3 dt 19-01-2004 and to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.V.V.NARASIMHA RAO

Counsel for the Respondents 1 and 2: GP FOR REVENUE

The Court made the following:

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ORDER: - (By GB,J)

This writ petition is filed assailing the order, dated 29.10.2004, passed by the A.P. Administrative Tribunal in O.A. (SR) No. 12852 of 2004.

2. The petitioner challenges the order of suspension, dated 19.01.2004 passed by the first respondent. The Tribunal refused to interfere with the said order and dismissed the same, by order, dated 29.10.2004.

3. Learned counsel for the petitioner submits that the enquiry was already conducted into the misconduct alleged against the petitioner and the enquiry officer found the petitioner not guilty of the charges, but still the suspension order is not lifted.

4. We are not concerned with the subsequent action to the order of suspension. Now, it is brought to the notice of this Court that the enquiry was already conducted and the petitioner was exonerated of the charges by the enquiry officer.

5. Under those circumstances, we feel it appropriate to dispose of the writ petition with a direction that if the enquiry has already been conducted, the first respondent is directed to pass appropriate orders, if not already passed, within a period of three

weeks from the date of receipt of copy of this order.

6. The writ petition is disposed of accordingly. No costs.

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G.BIKSHAPATHY, J

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P.S.NARAYANA, J

Dated: 16.12.2004

RAR

To

1 The Dist Collector (Panchayat Wing),
Warangal District, Warangal.
2 The Mandal Revenue Officer
Ghanapuram Station Mandal, Warangal Dist.
3 The Registrar A.P. Administrative Tribunal
Purana Haveli, Hyderabad.

4 2 CCS to G.P for Revenue, High Court Buildings, Hyd.(OUT)

5 2 CD copies.